



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

AT&T LEGAL DEPARTMENT - CC
ATTN: PATENT DOCKETING
ROOM 2A-207
ONE AT&T WAY
BEDMINSTER, NJ 07921

COPY MAILED

NOV 05 2009

OFFICE OF PETITIONS

In re Application of
Kevin T. Whitley, et al.
Application No. 09/647,028
Filed: May 29, 2002
Attorney Docket No. 36968 176363

ON PETITION

This is a decision on the renewed petition under 37 CFR 1.137(b) to revive the above-identified application, filed April 20, 2009.

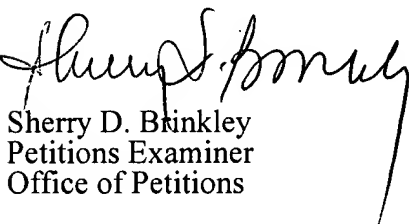
The petition is **GRANTED**.

The application became abandoned for failure to timely pay the issue fee on or before May 25, 2004, as required by the Notice of Allowance and Fee(s) Due, mailed February 25, 2004, which set a statutory period for reply of three (3) months. Accordingly, the application became abandoned on May 26, 2004. A Notice of Abandonment was subsequently mailed on July 2, 2004. A petition under the provisions of 37 CFR 1.137(b) was filed on February 27, 2009; however, the petition was dismissed in a decision mailed April 8, 2009. On April 20, 2009 the present petition was filed.

The petition is found to satisfy the requirements of 37 CFR 1.137(b) in that petitioners have supplied (1) the reply in the form of the \$1,510 issue fee and \$300 publication fee; (2) the petition fee of \$1,620; and (3) an adequate statement of unintentional delay.

The application is being referred to the Office of Data Management to be processed into a patent.

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3204. Telephone inquiries related to processing as a patent should be directed to (571) 272-4200.


Sherry D. Brinkley
Petitions Examiner
Office of Petitions